

ACT No. X OF 1903.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL

(Received the assent of the Governor General on the 20th March 1903.)



An Act to provide for the erection and management of the Victoria Memorial at Calcutta.

WHEREAS it is intended to erect at Calcutta a building as a Memorial of the Life and Reign of Her late Majesty Victoria of the United Kingdom of Great Britain and Ireland Queen, Empress of India, and for this purpose large sums of money have been subscribed by the Princes and People of India;

And whereas at a meeting of subscribers held in Calcutta certain persons were appointed a Provisional Executive Committee to take the custody of the said moneys;

And whereas it is expedient to make provision for the erection, maintenance and management of the Memorial and for the appointment of a permanent body of Trustees;

It is hereby enacted as follows:—

1. (1) This Act may be called the Victoria Memorial Act, 1903; and

Short title
and com-
mencement.

(2) It shall come into force at once.

2. (1) The Trustees of the Victoria Memorial (hereinafter called the Trustees) shall be the following, namely:—

Trustees.

- (a) the Governor General of India,
- (b) the Lieutenant-Governor of Bengal,
- (c) the Chief Justice of Bengal,
- (d) two persons of high rank nominated by the Governor General to represent the Chiefs and Nobles of India,
- (e) the Secretary to the Government of India in the Foreign Department,

(f) the

- (f) the President of the Bengal Chamber of Commerce,
- (g) the Chairman of the Corporation of Calcutta, and
- (h) such and so many persons as shall from time to time be nominated by the trustees with the approval of the Governor General to represent the general body of subscribers.

(2) The Trustees shall be a body corporate, with perpetual succession by the name of "The Trustees of the Victoria Memorial" and a common seal, and in that name shall sue and be sued, and shall have power to acquire and hold property, to enter into contracts, and to do all acts necessary for and consistent with the purposes of this Act.

(3) All acts done by a majority of those present and voting at a meeting of the Trustees shall be deemed to be acts of the Trustees.

(4) No act of the Trustees shall be deemed to be invalid merely by reason of any vacancy in, or defect in the constitution of, the body of the Trustees.

(5) In the case of *ex officio* Trustees the person for the time being performing the duties of any of the offices mentioned in sub-section (1) shall act as a Trustee.

(6) The Trustees may appoint a person to act as their Secretary.

(7) Orders for the payment of money on behalf of the Trustees shall be deemed to be sufficiently authenticated if signed by two Trustees and countersigned by the Secretary.

3. All sums of money now in the custody of the said Provisional Executive Committee and all other property, whether moveable or immovable, which have been or may hereafter be given, bequeathed or otherwise transferred for the purposes of the said Memorial or acquired for the said purposes by the Trustees shall vest in the Trustees.

4. All

Property
vested in
Trustees.

4. All officers and servants employed by the Trustees shall be deemed to be public servants within the meaning of the Indian Penal Code : Officers and servants to be public servants.

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Provided that this section shall not apply to persons in the service of any contractor employed by the Trustees.

5. (1) The Governor General in Council may make rules to carry out the purposes of this Act. Rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide—

- (a) for the manner in which Trustees, other than *ex officio* Trustees, shall be appointed, and for the periods of time for which such Trustees shall hold office ;
- (b) for the manner in which meetings of the Trustees shall be convened, the quorum necessary for the transaction of business, and the procedure at such meetings ;
- (c) for the appointment of Committees of the Trustees, and the powers of expenditure and control which may be delegated to such Committees ;
- (d) for the erection, maintenance and management of the Memorial, the care and custody of the objects deposited therein, and the conditions under which the public shall have access thereto ;
- (e) for the form of accounts to be kept by the Trustees, and for the audit and publication of such accounts ; and
- (f) for the application to the officers and servants employed by the Trustees of the rules which apply to the civil servants of the Crown, or to any class of such civil servants.